

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

## [ ] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Adaptive Transparent Encryption

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the specification of which (check one)

- [ ] is attached hereto.
- [X] was filed on December 31, 2003 as United States Application Number 10/750,321.
- [ ] was filed on [PCT Filing Date] as PCT International Application No. [PCT Appl'n No.] [and assigned United States Application No. [ ]].
- [ ] and was amended on [ ] (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	Priority Not Claimed	Certified Copy Filed? YES	NO
(Number)	(Country)	(Day/Month/Year filed)	[ ] [ ] [ ]
(Number)	(Country)	(Day/Month/Year filed)	[ ] [ ] [ ]
(Number)	(Country)	(Day/Month/Year filed)	[ ] [ ] [ ]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Nicholas Stamos  
Inventor's Signature [Signature] Date 6/22/2004.  
Residence 22 Jeanette Avenue  
Belmont, MA 02478  
Citizenship USA  
Mailing Address Same as above

Full name of second joint

inventor, if any Donato Buccella  
Inventor's Signature [Signature] Date 6/22/04.  
Residence 225 Main Street, Apartment 607  
Watertown, MA 02472  
Citizenship USA  
Mailing Address Same as above

Full name of third joint

inventor, if any Dwayne A. Carson  
Inventor's Signature [Signature] Date 6/22/04.  
Residence 161 Providence Street  
Mendon, MA 01756  
Citizenship USA  
Mailing Address Same as above

STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.27(a))-SMALL BUSINESS CONCERN



DOCKET NUMBER: 3602.1002-000

Applicant or Pattee: Nicholas Stamos, Donato Buccella, and Dwayne A. Carson

Application or Patent No.: 10/750,321

Filed or Issued: December 31, 2003

Title: Adaptive Transparent Encryption

I hereby state that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Verdasys, Inc.

ADDRESS OF SMALL BUSINESS CONCERN 950 Winter Street, Suite 2600

Waltham, MA 02451

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office. Questions related to size standards for a small business concern may be directed to: Small Business Administration, Size Standards Staff, 409 Third Street, SW, Washington, DC 20416 or you may call 202-205-6618.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

the specification filed herewith with title as listed above.

the application identified above.

the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each person, concern or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person who would not qualify as a person under 37 CFR 1.27(a)(1), or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2), or a nonprofit organization under 37 CFR 1.27(a)(3).

Each additional person, concern or organization having any rights in the invention is listed below:

no such person, concern, or organization exists.

each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2))

NAME OF PERSON SIGNING NICHOLAS STAMOS

TITLE OF PERSON IF OTHER THAN OWNER VP PRODUCTS & SERVICES

ADDRESS OF PERSON SIGNING 22 JEANETTE AVE BELMONT MA 02478

SIGNATURE  DATE 6/30/2004

@PFDesktop\ODMA\MHODMA\HBSR05;Manage:473725;1

JUL 06 2004

## HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.



**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT AND  
CORRESPONDENCE ADDRESS**

<i>Application Number</i>	10/750,321
<i>Filing Date</i>	December 31, 2003
<i>First Named Inventor</i>	Nicholas Stamos
<i>Confirmation Number</i>	4678
<i>Group Art Unit</i>	2131
<i>Examiner Name</i>	
<i>Attorney Docket Number</i>	3602.1002-000

<i>Title</i>	Adaptive Transparent Encryption
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I/We hereby appoint

[ X ] the attorneys/agents associated with **Customer No. 021005**

[ ] Practitioner(s) named below:

as my/our attorneys/agents to prosecute the application identified above, including any continuation or divisional applications thereof, and to transact all business in the United States Patent and Trademark Office connected therewith.

The correspondence address for the above-identified application is:

[ X ] Customer Number 021005

Hamilton, Brook, Smith & Reynolds, P.C.  
530 Virginia Road  
P.O. Box 9133  
Concord, Massachusetts 01742-9133

[ ] Other \_\_\_\_\_

Please direct all telephone calls and facsimiles to:

Name David J. Thibodeau, Jr. Tel. No. 978-341-0036 Fax No. 978-341-0136

I am the:

[ ] Applicant/Inventor.

[X] Authorized representative of the Assignee, Verdasys, Inc., of the entire interest. See 37 C.F.R. § 3.71. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

[ ] Authorized representative of the Assignee, [ ], together with [ ], of the entire interest. A Statement under 37 C.F.R. § 3.73(b) is enclosed.

**SIGNATURE of Applicant or Assignee of Record**

Name & Title	<u>NICHOLAS STAMOS, VP PRODUCTS TECHNOLOGY</u>
Signature	<u>Min</u>
Date	<u>6/30/2004</u>

Docket No. 3602.1002-000

**STATEMENT UNDER 37 C.F.R. § 3.73(b)**

Inventor(s): Nicholas Stamos, Donato Buccella, and Dwayne A. Carson

Application No./Patent No.: 10/750,321 Filed/Issue Date: December 31, 2003

For: Adaptive Transparent Encryption

Verdasys, Inc., a corporation,  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A.  the assignee of the entire right, title and interest in the patent application identified above; or  
B.  an assignee together with [ ] of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A.  An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

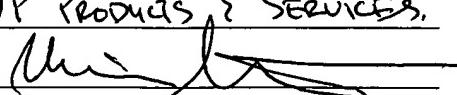
OR

- B.  A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 6/30/2004,  
Name: NICHOLAS STAMOS  
Title: VP PRODUCTS & SERVICES,  
Signature: 

**COPY**ASSIGNMENTJoint

WHEREAS, we, **Nicholas Stamos, Donato Buccella, and Dwayne A. Carson**, have invented a certain improvement in **Adaptive Transparent Encryption** described in an application for Patent,

- [ ] the specification of which is being executed on even date herewith and is about to be filed in the United States Patent Office (*use for utility (37 CFR § 1.53(b)) and design filings only*);
- [ ] is about to be filed in the United States Patent Office as a Provisional Application;
- [X] the specification of which is United States Application No. **10/750,321**, filed **December 31, 2003**;
- [ ] the specification of which is a Patent Cooperation Treaty Application, International Application No. [ ], which designates the United States of America;
- [ ] which was patented under United States Patent No. [ ].

WHEREAS, **Verdasys, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the **State of Delaware**, and having a usual place of business at **950 Winter Street, Suite 2600, Waltham, Massachusetts 02451** desires to acquire an interest therein in accordance with agreements duly entered into with us;

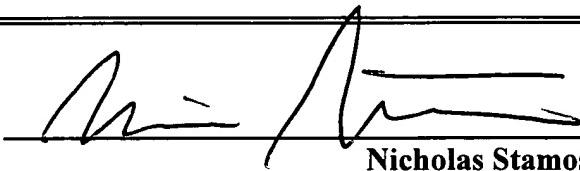
NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue on said invention; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the execution of applications for patents in foreign countries, and the execution of any future applications including substitution, reissue, divisional or continuation applications, and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request each Patent Office and the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said invention to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature:



Nicholas Stamos

State/Commonwealth

of MASSACHUSETTS

County of MIDDLESEX

On this 8<sup>th</sup> day of JUNE, 2009, before me, the undersigned notary public, personally appeared Nicholas Stamos,

personally known to me, or

proved to me through satisfactory evidence of identification, which was \_\_\_\_\_

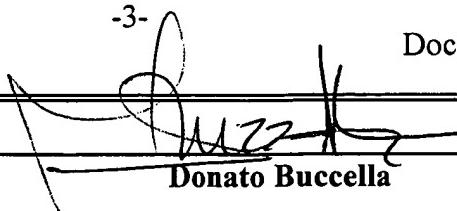
to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed.

(SEAL)

CATHERINE M. VAUGHAN Notary Public  
CATHERINE M. VAUGHAN (print name)  
My Commission expires 01/28/2011



Inventor's Signature:

  
Donato Buccella

State/Commonwealth

of MASSACHUSETTS

County of MIDDLESEX

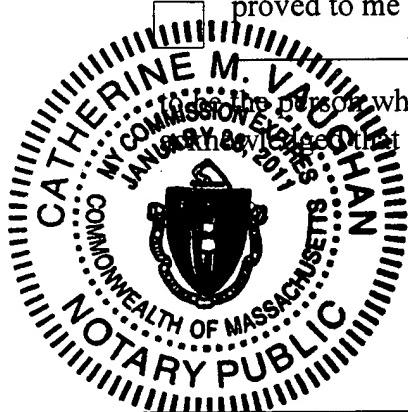
On this 14<sup>th</sup> day of JUNE, 2004, before me, the undersigned notary public, personally appeared **Donato Buccella**,



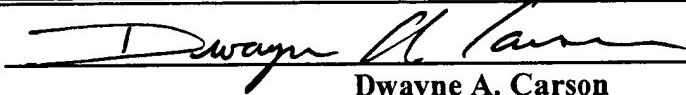
personally known to me, or



proved to me through satisfactory evidence of identification, which was



Inventor's Signature:

  
Dwayne A. Carson

State/Commonwealth

of MASSACHUSETTS

County of MIDDLESEX

On this 8<sup>th</sup> day of JUNE, 2004, before me, the undersigned notary public, personally appeared **Dwayne A. Carson**,



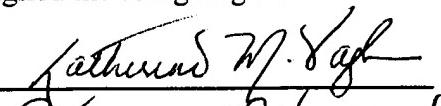
personally known to me, or



proved to me through satisfactory evidence of identification, which was

to be the person whose name was signed on the foregoing instrument in my presence, and acknowledged that he/she signed the foregoing instrument as his/her free act and deed



  
Catherine M. Vaughan Notary Public

CATHERINE M. VAUGHAN (print name)

My Commission expires 01/28/2011